

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re: AUTOZONE, INC., WAGE AND
HOUR EMPLOYMENT PRACTICES
LITIGATION

Case No.: 10-2159 CRB (JSC)

**ORDER RE: JOINT DISCOVERY
LETTERS (Dkt. Nos. 187-189)**

Presently before the Court are three joint discovery letters concerning: 1) Plaintiffs' notices of 30(b)(6) deposition; 2) Plaintiffs' consolidated request for production of documents; and 3) Plaintiffs' consolidated interrogatories. (Dkt. Nos. 187-189.) After carefully considering the parties' disputes, the Court concludes that oral argument is unnecessary, *see* L.R. Civ. 7-1(b), and rules as set forth below.

22 Defendant first argues that the Court should stay all discovery pending the resolution of
23 Defendant's motion for reconsideration of Judge Breyer's order granting class certification, which is
24 set for hearing on June 28, 2013. Defendant asserts that a stay is appropriate because all of
25 Plaintiffs' pending discovery requests are unduly burdensome because, in Defendant's view, "it is
26 not certain that Plaintiffs' rest-break claim will be allowed to proceed as a class action." (Dkt. No.
27 187 at 4.) The Court disagrees. What is certain is that the claim is presently certified to proceed as a
28 class action despite Defendant's belief that it should not. Defendant offers no authority for its

1 assertion that discovery should be stayed merely because a defendant has filed a motion for
2 reconsideration. Because Defendant has not demonstrated any good cause for its request for a stay,
3 Defendant's request is DENIED.

4 Defendant also argues that, even if the Court declines to stay discovery, Plaintiffs' requests
5 should all be denied because they are premature in that the parties have not met and conferred
6 regarding the substance of those requests; the parties have met and conferred regarding only
7 Defendant's contention that discovery should be stayed. Plaintiffs do not respond to this argument.
8 The Court's standing orders require the parties to meet and confer before bringing discovery disputes
9 to the Court for resolution. *See Civil Standing Orders for Magistrate Judge Jacqueline Scott Corley,*
10 at 4 ("The counsel for each party shall meet and confer in person, or, if counsel are located outside
11 the Bay Area, by telephone, to attempt to resolve their dispute informally."). Because the parties
12 have not met and conferred regarding any disputed discovery issue beyond the stay, the Court
13 HEREBY ORDERS the parties to conduct such a meet and confer no later than July 2, 2013. If any
14 disputes remain following the meet and confer, the parties shall submit those disputes to the Court
15 pursuant to its standing orders no later than July 9, 2013.

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18 **IT IS SO ORDERED.**

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20 Dated: June 24, 2013

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JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE